IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE THE ACTING CHIEF JUSTICE MR.K.S.RADHAKRISHNAN
&
THE HONOURABLE MR. JUSTICE M.N.KRISHNAN

WEDNESDAY, THE 28TH FEBRUARY, 2007 / 9TH PHALGUNA, 1928

WA.No. 351 of 2007
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(AGAINST THE JUDGEMENT IN WPC.12779/2006 Dated 13/06/2006)
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APPELLANT:
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PARAVAKKAL SADIYA,
W/O.MOHAMMED AYYOOB, POOLAKKAL KARIMBANAKKAL
HOUSE, AKKODE (PO), VAZHAKKAD (VIA),
MALAPPURAM DT.

BY ADV. SRI.T.K.AJITH KUMAR

RESPONDENTS:
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1. THE DEPUTY INSPECTOR GENERAL OF POLICE,
THRISSUR.

2. THE ASSISTANT SUB INSPECTOR,
VAZHAKKAD POLICE STATION, MALAPURAM DT.

3. P.K.MOHAMMED, S/O.KHADERKUTTY HAJI,
AGED 66 YEARS, KARIMBANAKKAL HOUSE,
AKKODE (PO), VAZHAKKAD (VIA), MALAPPURAM DT.

4. C.UMMU BARKATH, D/O.LATE
CHAKEERY AHAMMEDKUTTY, KARIMBANAKKAL HOUSE,
AKKODE (PO), VAZHAKKAD (VIA), MALAPPURAM DT.

R1 & R2 BY SR.GOVERNMENT PLEADER SMT.K.MEERA
R3 & R4 BY ADV. SRI.M.SASINDRAN

THIS WRIT APPEAL HAVING COME UP FOR ADMISSION ON 28/02/2007,

THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

**K.S.RADHAKRISHNAN,Ag.C.J & M.N.KRISHNAN,J.**

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**W.A. NO. 351 OF 2007**

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**Dated this the 28th day of February, 2007**

**J U D G M E N T**

**Radhakrishnan, Ag.C.J.**

We have heard learned counsel appearing for respondents 3 and 4 as also the learned Senior Government Pleader. We find no error in the reasoning of the learned Single Judge that the petitioner cannot insist which are the offences to be incorporated in the crime. Petitioner has also not filed any protest complaint.

2. We concur with the view taken by the learned Single Judge. The appeal lacks merits and it is dismissed.

**K.S.RADHAKRISHNAN,**
**Acting Chief Justice**

**M.N.KRISHNAN,**
**Judge**

Mbs/

**K.THANKAPPAN, J**

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Crl.Appeal NO. OF 2001

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J U D G M E N T

DATED:13-02-2007